

# LAW LIBRARY JOURNAL

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## COMMITTEE ON LAW LIBRARY JOURNAL

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## THE EDITOR'S BULLETIN BOARD

### Do You Have Volume 16(a), Law Library Journal?

Librarians are asked to collate volumes 16 and 17 of the LAW LIBRARY JOURNAL to see if their sets include volume 16(a) which contains the Proceedings of the Eighteenth Annual Meeting of the American Association of Law Libraries, held at Hot Springs, Arkansas, April 24-27, 1923. There are sixty-one pages in the issue, which contains an address of welcome by John T. Castle, a response by Gamble Jordan, the President's address by Andrew H. Mettee, papers by the Honorable Peter J. Hamilton and Edwin M. Borchard and Memorials, Reports, etc. The title page cites it as volume 17, but volume 17 starts with the issue of April, 1924 (number 1). Volume 16(a) is out-of-print and no copies are available at the Office of the Executive Secretary, The H. W. Wilson Company, or King Brothers, the publishers. If there are sufficient demands for the issue, the American Association of Law Libraries will make reprints. Librarians interested in obtaining copies of this issue should communicate with Miss Helen Newman, Executive Secretary, American Association of Law Libraries, c/o The George Washington University Law Library, Washington, D. C.

### Suggest Topics for Institute on Law Library Administration

An Institute on Law Library Administration (see L. LIB. J. 29:219-222) will be held as a part of the program of the Thirty-Second Annual Meeting of the American Association of Law Libraries, June 21-26, Hotel Roosevelt, New York City. The Executive Committee arranging the program desires to schedule addresses and panel discussions on topics which are of the greatest current interest to law librarians. The following topics have been suggested: Book Selection, Order Routine, Classification for Law Libraries. Librarians are asked to make further suggestions for topics and to send their suggestions to the Executive Secretary.

### Bibliographies and Articles Wanted for the Law Library Journal

Members of the American Association of Law Libraries are urged to contribute to the LAW LIBRARY JOURNAL bibliographies, check lists, current comments, and articles of interest to the law library profession. Address the Editor, in care of The George Washington University Law Library, Washington, D. C.

The Editor would like to know the titles of articles or bibliographies upon which you are now working. Much duplication of effort would be avoided if the Editor could be informed of projects now in progress. Recently it was found that three persons were compiling data for identical check lists. One of the purposes of the Roalfe Expansion Plan is to minimize the tasks of individual librarians by making the headquarters of the American Association of Law Libraries a "library on law libraries," and a clearing house for information and literature on law library administration. Important bibliographies, articles, etc., will be published in the LAW LIBRARY JOURNAL and will thus be made available to all librarians.

### Positions Wanted for Law Librarians

Deans and librarians of law schools, librarians of bar associations, court and county librarians, who have vacancies on their staffs are urged to communicate with the Executive Secretary of the American Association of Law Libraries. The Secretary has on file the names and qualifications of four librarians who are well-equipped, both as to formal education and experience, to fill positions in law libraries.

# LAW LIBRARY JOURNAL

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**ASSOCIATION OF AMERICAN LAW SCHOOLS  
PROCEEDINGS OF THE ROUND TABLE ON LIBRARY PROBLEMS\*  
34TH ANNUAL MEETING, CHICAGO, ILLINOIS, DECEMBER 30, 1936**

The Round Table on Library Problems, held in conjunction with the Thirty-Fourth Annual Meeting of the Association of American Law Schools, December 29-31, 1936, at the Stevens Hotel, Chicago, Illinois, convened at two-thirty o'clock, December 30, 1936, Mr. Samuel E. Thorne, Northwestern University School of Law, Chairman of the Council, presiding.

**CHAIRMAN THORNE:** The Round Table has some business before we proceed to the speeches, and any motions that are to be made will please be made now.

**PROFESSOR FREDERICK C. HICKS** (Yale University Law School, New Haven, Conn.): One of the reports made by a Committee to the Association recommended that this present Round Table be discontinued.<sup>1</sup> There was a discussion of that report yesterday morning and the question as to whether or not this Round Table should be discontinued was laid over until tomorrow so that at the present time we have an opportunity to express our opinion as to whether or not the Round Table should be discontinued.

The Chairman of the Committee which made that recommendation is now rather anxious, I think, to have the Committee amend its own recommendation and propose that this Round Table hereafter meet in alternate years.

I would move that this Round Table request the Chairman of that Committee to amend the recommendation in that way.<sup>2</sup>

**DEAN EMERITUS JOHN H. WIGMORE** (Northwestern University School of Law, Chicago, Ill.): If that motion is passed, I suggest that this Round Table continue to meet every year just the same.

[The motion was seconded, put to a vote by the Chair, and carried.]

\* Published in accordance with the resolution of the American Association of Law Libraries, June 24, 1935:

" \* \* \* the Editor of the *LAW LIBRARY JOURNAL* be authorized to publish the papers to be given at future Round Tables on Library Problems of the Association of American Law Schools in the *LAW LIBRARY JOURNAL* and to continue the program of publishing them until such time as the Association of American Law Schools may see fit to publish them in its own *HANDBOOKS*." *L. LIB. J.* 29:97-98.

<sup>1</sup> *Report of the Special Committee on Organization and Program, PROGRAM AND REPORTS OF COMMITTEES, ASSOCIATION OF AMERICAN LAW SCHOOLS, 34TH ANNUAL MEETING (1936)* p. 133, at pp. 135, 137.

<sup>2</sup> The Association of American Law Schools at its Third Session on Thursday afternoon, December 31, 1936, adopted the amended recommendation and provided that the Round Table on Library Problems, and the Round Table on Legal Aid Clinics be held hereafter in alternate years, Legal Aid Clinics in 1937, and Library Problems in 1938.

MR. GERHARD R. LOMER (Librarian, McGill University, Montreal, Canada): Mr. Chairman: In as much as the Special Committee on Cooperation with the American Association of Law Libraries has presented in its report some excellent recommendations, may I move that our Round Table approve those recommendations<sup>3</sup> and send such approval to the Executive Committee.

[The motion was seconded by Miss Helen Newman, Law Librarian, The George Washington University, Washington, D. C., and, there being no discussion, was put to a vote by the Chair and carried unanimously.]

CHAIRMAN THORNE: Is there any other business before we proceed with the program? Evidently, there is not.

For our first speaker today I have to announce a change in the program. Dean Wigmore has to leave shortly and so he will speak first instead of Dean Horack. I hardly need to introduce Dean Wigmore to you. You know him as the greatest legal scholar this country has today. He is a man of enormous and varied interests and to a librarian of the school in which he works it frequently seems that he works in six or eight different legal systems at the same time. He has visited and worked in law libraries in this country, in England, on the Continent and in the Orient. During those labors he has managed to accumulate a lot of wisdom about how law libraries should work and how law librarians should work them.

It is with a great deal of pleasure that I introduce Dean Wigmore.

**THE DUTY OF THE MEMBERS OF THE FACULTY TO THE  
LIBRARIAN AND THE DUTY OF THE LIBRARIAN  
TO THE MEMBERS OF THE FACULTY**

JOHN H. WIGMORE

*Dean Emeritus, Northwestern University School of Law*

I thank you, Sir, and the other speakers for allowing me to come first and disrupt the program.

My observations will not be formal but they are based on solemn convictions arising from experience of many years. The theme that occurred to me was "The Duty of the Members of the Faculty to the Librarian and the Duty of the Librarian to the Members of the Faculty."

I have been formally attached to only one school and I have not had observation personally of the relations obtaining in other schools so it is rash for me to speak in any but an ideal fashion. Moreover, my remarks, based as they are on experience, do not apply to present company. I have formed certain convictions and those convictions represent an ideal that I have never seen lived up to, but as there are so many libraries growing up in large scope and so many opportunities for creating new traditions I take liberty to think that an ideal is well worth sketching.

<sup>3</sup> Report of the Special Committee on Cooperation with the American Association of Law Libraries, PROGRAM AND REPORTS OF COMMITTEES, ASSOCIATION OF AMERICAN LAW SCHOOLS, 34TH ANNUAL MEETING (1936) pp. 129-133.

The recommendations contained in the Report of the Special Committee on Cooperation with the American Association of Law Libraries were adopted by the Association of American Law Schools at its Third Session on Thursday afternoon, December 31, 1936, and the Executive Committee was instructed to prepare an amendment to the Articles of Association for submission at the next annual meeting in 1937.

From the point of view of a law professor, then, I will say that my remarks are based on an experience with human nature. Human nature is very weak and we each tend to get into selfish ways. The law professor tends to get into very selfish ways. He is concentrating on his own subject. He does not want to do any administrative work. He cares very little about anything but his own subject and he has to be boosted and pushed and pricked in order to get out of that attitude.

I made the proposal many years ago, but unfortunately was not able to put it through, that every professor, when he is appointed to a faculty of law, should sign a written understanding that half of his salary would be paid to him as a bibliographer and half as a teacher or researcher. Consequently there was to be a hold on him on the part of the authorities and if he did not perform his bibliographical duties he would lose half of his salary.

That, of course, was far too radical to be accepted but there was my point of view: that the librarian cannot be omniscient. Much less so in these days in the law libraries can he be omniscient and he must have the bibliographical assistance of the members of the faculty. That, of course, is very notably so in libraries that have a large scope but it is equally true in principle of libraries that do not pretend to have a large scope.

The way in which the professor should cooperate is this: He should receive every month a simple mimeographed blank entitled "Monthly Report of Bibliography Recommended" and that should have several columns—the title of the book, the name of the publisher, the date of publication, the price if he has found it in the book list, and then a series of two or three marks, one of which should be, "I just recommend;" the second, "This is very important;" and the third, with three crosses, "I need this." The librarian thus has some way of discriminating when he gets that report.

Now that report should be placed on the desk of every professor every month and he should conscientiously lay aside an hour and fill that out from his observations during the month in the course of book reviews and other sources of information. If a dozen of those came in every month to the librarian he, in the first place, is saved a lot of personal labor, and, in the second place, he can check up on the books that are most in demand and most in need, and, thirdly, he can add to his bibliography by carding in a reference list all the books recommended even though at the time he is not able to purchase them on the budget.

That means then that every month somebody must jack up the members of the faculty to fill out that blank and send it in. I personally am unable to understand how a library can be of any scope at all or can be properly enlarged without some information of that kind, but I am in despair at the obstinate, selfish refusal of professors to do anything of the kind.

I think now of at least three different colleagues of mine who on several occasions have agreed to the following conversation. They say, "On that subject I think you ought to look up a certain author's book on *Easements*."

I say, "Yes, that is true but it is not in the library, we find."

"Oh, well, I have a copy."

"What! It is so important that you spent your own money on a copy and you have not notified the librarian that we ought to have it?"

That has happened so many times with men of enlightenment, industry and intelligence that I am pessimistic about the mental condition in this respect of members of law faculties. To me, it is perfectly shocking to think that a man can spend his own money on an important book and never even tell the librarian that it might be needed in the library for other people. That has happened to me at least once a year for the last, I will say, ten years. The latest instance is a book on my shelf now that was lent to me by a colleague. It is a very important book by a very important author on the Philosophy of Law that came out a couple of years ago. In an enterprise we were engaged upon, he said, "We ought to refer to that," and I said, "I will get it from the library." He then said, "It is not in the library but I will lend you my copy."

That inveterate lack of bibliographical social instinct on the part of professors ought to be rooted out and I am preaching here the missionary idea that members of every faculty have a bibliographical duty to perform which, judging by cited examples, they do not perform. The casual performance is one thing but the regular performance can be made easy by this method of the monthly blank which can be circulated by the librarian.

Turning to the relation of the librarian to the members of the faculty, I have a notion, not so much based on experience, that the system used in colleges of having a library committee make the determination for recommendation and selection, and maybe ordering of books, is a misguided thing. I am for making the librarian the sole decider. I do not mean a dictator but I mean the sole decider of the ordering of books. The little that trickles down to me from colleges gives me this impression: that in the colleges with about twenty or twenty-five separate branches of learning the library committee never can be large enough to include them all and that when a library committee of five or six or seven manages the library and gives orders to the librarian, the naturally selfish instincts and experiences of the members tend to over-stock the library with the books that they need in their particular lines. There is nobody to speak up. If there is no member of the Biology Department on the committee, there is nobody to speak up for the Biology Department except in a little written memorandum, and the German professor and the Mathematics professor who are on the committee have the excellent opportunity to push their demands through.

I should be against any control of the librarian by any faculty committee even in a law library where the faculty has, of course, fewer departments that are markedly different. I favor letting the librarian be the one who has the say. We hope that he will be rational and impartial. It is not right; it is not good policy to hamper him by control of a committee. He may have his favorites but that cannot be avoided, perhaps, and is no worse than the favoritism of the individual professors on the library committee.

Assuming then, that the librarian, has the final say and he is going to exercise that rationally, like all dictators or persons of monocratic position, he ought to consult, of course, and be guided by public opinion.

My guess is, but it is only a guess, that when the librarian is left in sole authority he tends more and more to draw in the hole and order books that he thinks ought to be there and not to ask anybody else about it. That is inertia and shows the lack of momentum to go outside and round up information. From the moral point of view I am hoping that the ideal librarian will have that authority but that he will use it so as to gather in the best opinion from the members of the faculty. That, he can do by this other plan that I proposed. If he will send out a monthly sheet and insist upon getting a bibliographical report from every member of the faculty every month he can measure and adjust the different demands. He can then put in his orders from the point of view that he has done the very best for the faculty as a whole.

My experience personally has always been a fortunate one. The only librarians that I have ever had directly and officially to do with have always been very kind to me and to my recommendations so I do not say that out of any personal experience with anyone else; but, in asking that librarians be given the sole authority for ordering, it seems to me quite desirable that they should feel themselves morally obliged to gather in every month all the bibliographical data that the faculty may be willing and compellable to give him.

The other thing that a librarian ought to do is this; I do not know whether this is carried out in all or in any libraries: Every year he should make a budget based on the various groups of collections and in that budget, judging by former experience and taking the amount available for the ensuing year, he should allot the various subjects rateably in the light of experience and the faculty opinion.

We all know that today the greatest drain on library budgets is made by finding books that come out so copiously and so expensively, by the enormous editions of annotated statutes, and by the enormous continuation of these sets. If you could make a chart of the way in which the ordinary law school library in the last ten years has enlarged its expense, I think you would find that the proportion of money spent on continuations of American law books and finding books of that sort has increased from, say, 25% to over 50% of the total budget.

I wish someone here would investigate that point because when it comes to paying \$175.00 for the latest annotated edition in ten volumes of the statutes of a state it becomes a question of proportion. Just because it is the latest edition and may be the only annotated edition of the state's compiled statutes it does not follow that every library has to have it. It becomes then a question of proportion. I mean, you should look at the budget and see how that kind of a book has been growing and growing and eating up the needs of other parts of the library.

If you have this budget proportioned according to the relative needs and experience of the different branches of the subject you can check down and restrain the excesses that are growing up in different branches. It seems to me to be an indispensable part of the work of the librarian to make out his budget every year, submit that for the inspection of the faculty, and indicate the proportion of the budget which he will expect to spend for various subjects during the coming year.

I endeavor to keep such a thought in mind when I offer recommendations. I get scores and scores of publishers' lists every year and I look through them and

see things that make people's mouths water. We ought to have them, but if it is a twelve volume set and costs \$125.00, I just do not put that in.

I can imagine a person being selfish enough and indiscriminate enough to put a set of books like that down on the list. I do not see why it should not be put on the list but it should be put there with the thought that maybe that set of books will run over the proportion that is decently allowable in that particular school for that particular branch of knowledge.

So, my ideal suggestions, then, are: that each member of the faculty should consider that he has a solemn bibliographical duty to the library; that the librarian should be left in complete final ordering control of the increase of books, and that he should make an annual report and have an annual topical budget, in the light of which the needs of the library can be kept up with a certain consistency.

Thank you. (Applause.)

CHAIRMAN THORNE: I am sure we are all very grateful to Dean Wigmore for speaking to us this afternoon and I know from personal experience that he practices what he preaches. Every month the librarian gets a long list of books, all marked "I need these at once" but never marked "We may get this sometime if we have the money."

We turn now to our second speaker and in introducing him I would say this: that ever since the founding of the Association of American Law Schools he has been concerned with investigating the schools seeking admission to the ranks of the Association of American Law Schools. In this work he has naturally examined scores of smaller schools and, of course, not only the school but the library as well. During these years he has made a great many observations about how schools are run, particularly the smaller schools and the smaller law libraries, and it is that to which he is going to direct his attention today.

I take pleasure in presenting Dean H. Claude Horack of Duke University.

### THE SMALL LAW LIBRARY AND THE LIBRARIAN

H. CLAUDE HORACK

*Dean, Duke University School of Law*

In the development of legal education for which the Association of American Law Schools has been so largely responsible, the growth in the use of the law library seems to have lagged far behind.

It is difficult to realize that at the formation of this Association in 1900 the only library requirement was that the library should contain "the reports of the state in which the school is located and of the United States Supreme Court." That this very modest requirement was considered inadequate by those who were interested in the development of law schools was shown in the attempt five years later to include "the *recent* and *current* reports of the federal courts of the United States and of the courts of last resort in all the states; the revised statutes of the United States, the English Chancery and Common Law Reports and at least three hundred volumes of standard textbooks." The provision met with much opposition and was referred back to the committee proposing it. The following year it was recom-

mended that the provision "pertaining to law school libraries shall for the present remain unchanged." It is to be noted that the suggested requirement did not call for full sets of the reports of the federal courts and the courts of last resort, but only the "recent and current" ones.

After this attempt to provide for better libraries for law schools the original provision requiring only the "reports of the state in which the school was located and of the United States Supreme Court," stood as the only library requirement of the Association until 1912, when it was provided that a school "shall own a law library of not less than 5,000 volumes." There was much objection to this requirement, the main point of the objection being that convenient access to a library was sufficient.

An interesting argument much pressed was that a requirement of a definite number of volumes was one which considered the letter and not the spirit of a library requirement in that any kind of books could be secured thereby fulfilling the requirement by procuring shelf fillers at 25 cents per volume. This objection was made, not for the purpose of forcing schools to buy books of the right type, but to bolster the argument that schools ought not to be required to have books of their own if they were located in cities where local bar association libraries might be used. The arguments seemed to have been directed almost entirely to the proposition that schools should not be required to get their own books but should send the students to near-by bar libraries if they so desired. The provision, however, was finally adopted with the understanding that the requirement was to be applied to schools thereafter admitted but that schools already admitted would be given a reasonable time with which to comply. As it is always more pleasant to put requirements on others than on ourselves, the resolution secured sufficient support to insure its adoption.

What was considered a reasonable length of time does not appear either in the original discussion or in any action later taken by the Association. However, in the course of a few years, at least by the time of the resumption of law school activities following the World War, it seems to have been taken for granted that the requirement of 5,000 volumes was to be fulfilled by all schools. It appears, however, that very little attention was given to schools that were already members of the Association, as there were then very few inspections of such schools, but the rule was applied with more or less strictness, dependent upon the particular inspector sent to examine an applicant for admission.

Whether applicants for membership had taken the cue from earlier discussions, that 5,000 volumes might be fulfilled with shelf fillers, or whether they arrived at this conclusion by independent thought, it appears that up to about 1924 no decision had been made as to what was meant by a "volume." In a number of cases there was strong reason to believe that applicants borrowed books from friends of the school to meet the ordeal of an inspection, and some bought up at bargain prices books of little or no value, and many schools had large quantities of worthless material which had been received as gifts.

Such gifts were not only easy to secure but many a library trying to build up its collection has had difficulty in avoiding them. Perhaps every school has had

the experience and the embarrassment of being presented with a library by some lawyer's widow. These gifts have all been dictated by much the same formula. A widow faced with the disposition of her husband's library has in mind that "poor John" put almost everything he earned into books during his lifetime, and she remembers hearing him say that his investment in this matter was fifteen or twenty thousand dollars. To be sure in recent years he had not kept up his expenditures for library purposes, but certainly it ought to be a great bargain to buy this library at one-half price. Great was her shock when she received an offer from some book concern of three or four hundred dollars or less for the whole lot. Rather than accept such a sum, her generosity dictated that she make a fifteen or twenty thousand dollar gift to the law library in memory of her departed husband.

The result was a large collection of obsolete textbooks, old digests, encyclopedias, and broken sets of reports. I have seen small law school libraries having as many as ten or a dozen sets of the first edition of the American and English Encyclopedia of Law, three or four sets of obsolete United States digests, and other equally valueless material in like proportions.

The high spot in checking the library requirement took place in the early twenties when a school that had been an applicant for admission for several years, announced that it had finally fulfilled the library requirement of "5,000 volumes." In addition to such material as I have already mentioned, they had, by careful count supplied the necessary number of volumes by separately binding single numbers of the advance sheets of the reporter system, proudly exhibiting long rows of these separately bound weekly pamphlets into which they had put real money in order to show 5,000 volumes. This experience led to an addition to the library requirement, and at the meeting in 1924 it was stated that a school's library should be "well selected and properly housed and administered for the use of its students."

It is to be noted that the change made in the library requirement in 1924 not only provided that the books should be "well selected" but also that they should be "properly housed and administered for the use of its students." This requirement, like many others now contained in the Articles was the result of the experience of inspectors in visiting schools. A number of schools felt that they had fulfilled the library requirement by having the required number of volumes of published material and that their obligation did not go beyond this. It was not unusual for an inspector to have pointed out to him a number of boxes which presumably contained law books. Often these were stored in the basement, and if under any supervision, only that of the janitor.

In one school many hundred volumes which the school asked to have counted as library material were stored in an attic of one of the university buildings where they could not be reached except by some nimble and slender person who might secure a ladder and crawl through a small hole in the ceiling into the pitch dark regions above. In other schools books were piled on shelves, two deep, and in a number of libraries, shelving extended to the top of a fifteen or twenty foot ceiling where books could be reached only by ladder, usually with no ladder available.

Often books were on the shelves in no fixed order and such a thing as a catalog or even a list of books or sets of books was unheard of. In a vast number of schools

the only record kept was an accession book in which books were listed and given a number as received. Seldom could such a library find any book which might be called for and it was conclusively presumed that a book once received was still in the school's possession and entitled to be counted to make up the required total.

The answers of such schools, if objection was made as to the fulfillment of the library requirement, was, almost uniformly, that the books were not in use anyhow, and so it was very technical to insist that they be placed or cataloged so that students might have access to them when no such access was actually desired and the books were never called for. The change in the wording in the Article requiring the books to be "properly housed and administered for the use of its students," merely put into the Article what had been insisted upon for several years by snoopy persons who had been making frequent inspections for the Association. But up to this time no one had had the temerity to require that the books be so cataloged and arranged that they could be located by any meddlesome person wishing to use them, and no efficient library management had been enforced.

At the meeting in 1924 attention was called to the fact that the number of volumes, 5,000, had been fixed "twenty years ago or more," (though actually it had been in effect only twelve years), and it was suggested that the Executive Committee consider the advisability of raising the number of required books, as the material had almost doubled in that time. At the meeting in 1925 the Article was changed to read "Commencing Sept. 1, 1927 it [the school] shall own . . . not less than 7,500 volumes, which shall be so housed and administered as to be readily available for use by students and faculty." It is to be noted that the books are now to be "readily available for use" not only by the students but finally by "the faculty." In this year it was also required that "for additions to the library in the way of continuations and otherwise there shall be spent over any period of five years at least \$7,500, of which at least \$1,000 shall be expended each year." In 1925 there had been proposed also as an amendment to the Article, the requirement that each library should contain certain specified books, but this amendment was withdrawn before it was submitted to vote. However, without the guidance of a real librarian, many schools were at a loss to know what books should be secured, and to satisfy this demand in 1927 there was approved a recommendation of the Executive Committee stating certain sets which should be included in the library of each member school.

These recommendations covered seven items, the most important of which were that it should contain the published reports and decisions of the courts of last resort in at least one-half of the states in the United States with reasonably up-to-date editions of statutes, the National Reporter System complete, at least six complete legal periodicals, and the English reports. The Executive Committee soon became quite insistent that each library should contain approximately the materials which it had recommended.

About this time, also, Miss Helen S. Moylan, Law Librarian at the University of Iowa, read a paper before the American Association of Law Libraries<sup>1</sup> entitled,

<sup>1</sup> Presented at the Twenty-Third Annual Meeting of the American Association of Law Libraries, French Lick, Indiana, May 29-30, 1928. Published in *L. Lib. J.* 21:85 (October,

*Fundamental Material for the Law School Library with Particular Reference to the Library of 7,500 to 15,000 Volumes.* This paper was later published in the AMERICAN LAW SCHOOL REVIEW for May, 1930,<sup>2</sup> and was practically used as a guide by many of the smaller schools. It was significant that many schools that were ready to spend the necessary money had but little idea of what to buy and Miss Moylan's article came as a godsend to those who had felt no need for books but were required to fulfill the minimum requirement.

In 1930 there was adopted the present requirement that commencing Sept. 1, 1932, each school shall own a library of not less than 10,000 volumes, and that at least \$10,000 shall be spent over any period of five years of which at least \$1,500 shall be expended annually.

This in brief is the history of the growth of the minimum library requirement of the Association of American Law Schools. It is interesting to note that though the number of unapproved school still far exceeds approved schools and have a considerably larger attendance, very few meet our present library requirement.

It should not be supposed that forcing schools to secure books of the number and kind required has meant that they are being used; and it is not unusual today for an inspector to be met with the criticism that the Association has placed upon the schools unreasonable and unnecessary expense in order to fulfill a technical requirement.

Few seemed to consider that the fact that the libraries were not being made use of was a reflection upon the school concerned and upon its faculty and the type of training it was giving to its students. A professor was considered as being scholarly if he referred occasionally to Shakespeare and quoted Latin expressions or the Bible. If it isn't a maxim, it should be,—that you can lead a student to knowledge but you cannot make him drink (that is, of knowledge), and this is particularly true when none of the faculty are anxious to partake. In many schools, it may be stated with considerable accuracy that the library has remained a closed book.

The great need of the small library is a competent librarian. By competent, I do not mean to require an expert as judged by the larger law libraries of the country, but I do mean that there is need of more than the occasional suggestion of some faculty member, or the supervision of a mere custodian whose duty it is to see that no one goes off with the books in wheelbarrow lots.

Has not the time arrived when the statement in the Articles that the library should be "administered" be interpreted as meaning that it be in charge of a fairly competent person whose business it is to see not only that sets are complete and maintained, and that new materials are secured as published within the limits of the school's resources; but that they are made "readily available for use of students and faculty." I would say that it is the librarian's business to see that the books are used by students and faculty. How this is to be done I gladly leave to the experts on this subject—the law librarians! Someone must have had a clear insight into law school affairs when he suggested that the library should be available for use by faculty as well as by students!

1928).

<sup>2</sup>AM. LAW S. REV. 6:751 (1930).

If the library is the essential part of the modern law school which this Association has held it to be, is it not time that there should be a provision that each school should have a competent librarian? Without him, are the books readily available for students and faculty? Through him members of the faculty will become aware of the library and some may become interested enough to read a book or an article occasionally, hunt up a citation now and then and proudly refer his students to it. Perhaps we may even be able to make some of the students drink if we induce them to take a few sips.

There are now eighty-two schools that are members of this Association and at least eighty-one of them should be represented at the meeting of the Library Round Table. Not to take an extreme position, we should be lenient enough to be willing to permit the librarian of the University of the Philippines to be absent on occasion.

Yet there is a proposal before the Association that the Round Table on Library Problems be discontinued! But perhaps I am performing as the typical college professor who scolds those who are present, because of the ones who are absent. If schools are not represented at this Round Table, is the solution of the library problem that the Round Table be discontinued? By the same type of reasoning, if what I have said about small law libraries is true, the proper solution would seem to be to dispense with the law libraries.

I believe that with the present requirement as to the number of volumes and the amount of money to be expended annually, it is not unreasonable to require that each library be in charge of someone who is more than a custodian of the books, someone who can help the student who is seeking to make use of the books that should be available to him, someone who is making this his main interest, someone who will attend a Round Table on Library Problems. The library requirement is not solved by having only a so-called student librarian, one who has no particular knowledge of library materials and whose only duty is to clear up the tables at the end of the day or hand out some particular book that may be called for,—if he can find it. Neither does it satisfy the needs of the situation merely to have a member of the full time faculty hold the title of librarian. I remember one occasion when a faculty of five full time men was asked to submit a list of books for a library then containing presumably 5,000 volumes and the total suggestions made called for about twenty additional books.

I do not wish to be understood as saying that a library committee of the faculty may not be very desirable and helpful, but I do wish to emphasize that the use of the library is such an important part of a student's legal education that it is not unfair to ask that someone be placed in charge of it who can be of real help to students and faculty alike, not only in the selection of materials for this essential part of legal education, but who can be of real help to those who are anxious to use the facilities which the rules of this Association require—someone of sufficient interest in library problems to attend such meetings as this in order to carry back to his school such thoughts as he may have acquired through interchange of ideas with others vitally concerned in library problems as their main interest.

The figures as to the training of librarians quoted from the report of a committee of the American Association of Law Libraries are significant.<sup>3</sup> Though relating to all American law libraries of over 10,000 volumes, and not limited to the libraries of member schools, I doubt if figures so limited would show any better situation. With 25% failing to report on this point, 43% of the total number had no law training; and with only 69% answering, 48% had no library training. With so large a proportion giving no information, it is a conservative guess that over 50% of the law libraries are conducted by persons without either law or library training.

From what I have seen of the small law libraries in member and non-member law schools, I would heartily endorse the recommendation of the American Association of Law Libraries "that the Association of American Law Schools in line with its rigid requirements as to the number of volumes in the library of a law school as one of the qualifications for membership of such school in the Association, should also require each member school to have a librarian whose major interest is the library itself and whose principal activities are devoted to management and operation of the law library."

I would be tempted to add that such person be required to attend the meetings of the Association and particularly of this Round Table.

I know of no other way to make the law library the vital influence in legal education which those who have been responsible for the library requirement over the years of the development of this Association have intended it to be. I venture to suggest that those who have been active in this movement have never dreamed that in some schools today the situation is such as to library management that, as has been suggested by a number of schools, the library requirement is considered a useless formality, placing an undue burden of expenditure upon small schools for books which are never used.

Have we made much progress by merely requiring that the given number of books owned by the school be taken from the boxes in the basement and from the dark recesses of the attic, even though they have been put where even the fattest or least nimble member of the faculty can reach them? We need someone who is a salesman of these wares so that they will be called for to the end that the law library will actually be the essential part of legal education which we have assumed that it is. The trouble is that the members of the better schools do not know about the library situation in the poorer schools, and the members from such schools do not care.

Improvement in this matter should be the next major problem of this Association, and this improvement is to be effected through a requirement as to the law librarian. It is a condition and not a theory that confronts us. (Applause.)

**CHAIRMAN THORNE:** Thank you very much, Dean Horack, for your very interesting and illuminating paper. I am sure it comes at a most opportune time, especially at this meeting of the Association.

I am now going to call on our next speaker who is somewhat of a newcomer

<sup>3</sup> *PROGRAM AND REPORTS OF COMMITTEES, ASSOCIATION OF AMERICAN LAW SCHOOLS, THIRTY-FOURTH ANNUAL MEETING (1936)* p. 129, at p. 131. Quoted from the *Report of the Committee on Education for Law Librarianship*, American Association of Law Libraries, *U. Lib. J.* 29:199, at pp. 201-202.

to the Association of American Law Schools. He comes to the academic world from a very prosperous law practice which does not happen often, I regret to say. He will talk to us about "The Function of the Law School Librarian."

It is my pleasure to introduce to you Dean Judson F. Falknor of the University of Washington School of Law, Seattle.

### THE FUNCTION OF THE LAW SCHOOL LIBRARIAN

JUDSON F. FALKNOR

*Dean, University of Washington School of Law*

Before undertaking to express my views as to the proper function of a law school librarian, it is proper, I think, to identify my point of view and also the sort of law school library that I have in mind.

When Mr. Thorne suggested to me that I participate in this discussion, I reminded him of my limited teaching experience, and he assured me that in the opinion of the Council this might, in a sense, be an advantage, as presumably giving to me a point of view uninfluenced by prior routine. Nevertheless, I think I owe it to you here to identify myself as one who, after a good many years of active practice, finds himself a newcomer in the law teaching field.

It should be stated, too, that my suggestions are directed primarily toward the function of a librarian of the law school of a state university. I think it important to keep this in mind respecting what I shall have to say in reference to the proper relation between a law school librarian and the bar.

While the primary sustenance for our library comes from a special student library fee, it is nevertheless true that in the past and at the present time, our library has necessarily received additional financial assistance from the state, and this fact, I assume, may have a legitimate bearing upon the relationship between the library and its librarian, on the one hand, and the bar on the other.

One more preliminary observation: In attempting to describe the function of a law school librarian, I shall probably find myself, in a good many particulars, merely delineating what we conceive to be the valuable qualities of our own librarian. But to the extent that this is the case, it is probably more or less inevitable, because of the simple fact that he is a very splendid librarian.

Assuming that the librarian is competent and well prepared, I should suppose that a prime requisite for the development of a satisfactory law library is the autonomy of the library administration and the independence of the librarian of unreasonable faculty restrictions. It stands to reason, I think, that if a law school library is to attain the development necessary for its maximum usefulness, it should be allowed to develop under its own administration and entirely free of supervision of the general or central library.

Our own experience has also convinced us that it is wise, subject to the most general supervision by the dean of the school, to vest in the librarian the entire responsibility for and discretion in the development of the library. To circumscribe the free exercise of his own judgment by the appointment of a committee or similar device, the personnel of which may change from time to time, and whose

members necessarily possess varying points of view, might impede, rather than help, I suspect, the proper development of a library such as ours.

The law school librarian must definitely have an eye to the future. When the law teacher needs reference material, he needs it immediately. Consequently, these needs must be anticipated. Forecasting future needs and building against them constitute, together, I would expect, the greatest single service that the librarian can render to the faculty.

I suppose any well equipped library, after the National Industrial Recovery Act became operative, could have assembled in time most of the material pertaining to the background of the act, by which I mean the supposed necessity for the act, and the theory of the legislation, and its legislative origin and history. But the farsighted law librarian did, no doubt, commence to assemble this material from the first suggestion of the legislation, so that a cumulative bibliography of references to periodicals, congressional hearings, committee reports, and other pertinent matter was instantly available when needed.

Then, too, there is the question of availability. Materials easily obtained when their utility is not yet apparent, become costly or perhaps entirely unavailable when the need for them becomes more acute. We may conclude, therefore, that the efficient librarian must be something of a prophet.

Realizing full well that there are many legal educators of distinction, who feel that the present standard three-year law course is all too short to meet the requirements of present day conditions, I nevertheless wonder whether, even within a three-year course, more emphasis ought not be placed upon the lives and personalities of the great historical figures of the law. As a rule, the living personalities of these great lawyers and judges are exposed to the law student only through the dry bones of their opinions and treatises. It seems to me that to expose the student "to a greater variety of human models from whom he might take nourishment," as Dean Garrison recently expressed it, would be a very valuable undertaking, not only from the standpoint of character building, but as a source of genuine inspiration to the student, which certainly ought to develop in him a real sense of affection and respect for his profession.

To quote Dean Garrison again:

"Most law students, for example, graduate without any knowledge whatever of the lives and careers of the great jurists, advocates, and lawyer-statesmen who lent nobility to the profession. This is a serious lack, for if lawyers are to maintain in practice the finest traditions of their calling, it is important that they should respect and take pride in it; and to stimulate their respect and pride they ought to know something of the profession's history and of the men who have made it illustrious. So I think that some study of legal history and a liberal amount of biographical reading should form a part of every lawyer's education."<sup>1</sup>

It would seem apparent, therefore, that the law school librarian must give particular thought to the development of his library to meet this viewpoint. It may not be feasible to present material of this character to the law student in any very

<sup>1</sup> Garrison, *Character Training of Law Students From the Point of View of the Law Schools and the Bar* (1936) 8 AM. LAW S. REV. 592, at 595.

systematic way. But the librarian can, at least, bring to the attention of the law students, in a more or less informal manner, the availability of biographical and historical material, and other material of even more popular character. The mechanics of accomplishing this end are, of course, much more familiar to you than to me.

I, of course, am merely stating obvious suggestions when I call attention to the desirability of the preparation of bibliographies by the librarian in connection with research problems, projected curricular changes, and recreational reading.

Each member of our faculty finds on his desk on Monday morning a complete digest of leading articles, case notes, and comment from all periodicals, including such journals as the *JOURNAL OF THE AMERICAN BAR ASSOCIATION*, the *JOURNAL OF THE AMERICAN JUDICATURE SOCIETY*, and the like, which have been received at the library during the preceding week. These weekly digests have proved very convenient and helpful.

Our librarian issues quarterly a law library bulletin, which is circularized amongst the bench and bar of the state, listing recent accessions and many other matters pertaining to the library which are thought to be of interest and assistance to the lawyers and judges. Every issue of this bulletin has called forth a considerable number of requests to borrow and to use items listed in the bulletin. These calls have not merely been local ones, but have come from all parts of the state and from other states and Alaska.

I think, too, that the law school librarian in one of the newer states such as ours, must assume the responsibility of preserving the local history of the bench and bar of the state. Our librarian has done this in a very efficient manner. As a matter of fact, in our state of about two million people, he seems to be the only person who can be naturally charged with the responsibility. At least he is the only one who has apparently undertaken it. In such a situation, he must give some thought to the gathering, recording and preservation of the anecdote and tradition of the profession in the state, and more particularly to the lives and personalities of the outstanding judges and lawyers of the state. Of course, in acting as such a repository he is performing a service not only for the school, but for the public and the profession as well.

Our librarian has also been of genuine service to the members of the bar of the state in preparing and distributing among them reading lists and bibliographies on special subjects, such as: Community Property, Mortgage Moratoria, and New Deal Legislation.

In our situation, we expect, too, that the law librarian shall participate in the work of the local and state bar associations; shall serve on committees when requested; appear and speak when asked, and in a general way, develop friendliness and cooperation between the bar and the school. The law librarian can do much to foster and maintain the good will of the graduates of the school and the bar in general. He must be prepared to be constantly consulted by members of the bench and bar in reference to their problems.

He can render helpful service to young lawyers who need assistance and advice in building and selecting their libraries along the most economical and practical

lines. Not having anything to sell, the librarian can act with complete impartiality.

And aside from actually engaging in research or briefing, the law librarian must be prepared, at least in a situation such as ours, to be liberal with suggestions and assistance to the young practitioner. Our librarian receives many such calls, most of which emanate from those of our graduates who, for one reason or another, did not avail themselves of the course in Legal Bibliography, which is given by the librarian. Rarely has it been necessary for him to render much assistance to the graduate who has satisfactorily completed this bibliography course. I might say in this connection that, it appearing that a very substantial number of our recent graduates have embarked upon their practice without systematic training in the use of the books, we are, from this time forward, making the completion of this four hour, one quarter course a requirement for graduation.

While the hour value of the course is probably higher than usual, I nevertheless feel, from my own experience, that beyond any question whatever, its importance justifies that amount of required study and instruction.

Thorough-going, systematic instruction in the use of the books, that is to say, in the use of the tools of the profession, is quite as important to the practicing lawyer as is instruction in operative technique to the practicing surgeon. I venture to suggest, therefore, that considerably more emphasis might well be placed upon this sort of instruction. Our problem is not only to so arrange matters that the student, within a reasonable compass, will absorb basic principles of law and acquire the habit of lawyer-like reasoning, but to endeavor to inculcate such facility in the use of the books as will enable him to quickly, accurately and completely find the answer to his question, or demonstrate the soundness of his tentative opinion.

No doubt, Mr. Chairman, the suggestions that I have attempted to make are already obvious enough to you. But nevertheless, in the hope that the viewpoint of one uninfluenced by association with existing conditions might possibly be of some assistance, I have undertaken to present that viewpoint to you. (Applause.)

CHAIRMAN THORNE: Thank you very much, Dean Falknor.

And now, in view of the time, I throw the meeting open to discussion. Both Dean Horack and Dean Falknor have said a good many things and you probably have questions to ask them.

PROFESSOR JOSEPH M. CORMACK (University of Southern California College of Law, Los Angeles, Cal.): At the beginning of my teaching career I spent four years in a small school as full time professor and librarian. I agree with Dean Horack that the ideal is that every school have a person who is primarily librarian, but, in the light of my experience, I believe that in the long run you will get better results in a small school by having that handled by a faculty member who is also librarian.

Of course, the lack of money affects everything an institution or an individual can do. The small school with a limited budget cannot offer a salary which will attract a trained librarian. It is then usually necessary to employ some young person just out of school or some young woman to do that work. I believe that it is perfectly feasible for a faculty member to act as librarian.

It is my experience that where the amount of money you have to spend is

limited—I think my budget was \$2,500.00 a year—that lack of money makes your work comparatively simple because you can only go so far with \$2,500.00 a year. So I believe that in the long run it will work better to have it handled by a faculty man.

PROFESSOR ROBERT KINGSLEY (University of Southern California College of Law, Los Angeles, Cal.): Mr. Chairman, I do not want to have a family fight with my colleague, the previous speaker, but, as a member of the Committee whose report Dean Horack has referred to, I want to say that that suggestion came into the discussions of our Committee in a large part from my desk, so I have some godfatherish feeling towards it.

In the first place, I think it was not our intention to say that the sort of person whom we recommended should not be a faculty man. The language which the American Association of Law Libraries used<sup>1</sup> seemed to us admirably designed to cover exactly that point. He should be a person whose "major interest" was the library, appreciating that in the smaller school, of necessity, that person would also be engaged in teaching classes.

We also felt that that might have a tendency to keep up the caliber of person so designated since, if the school was left free to put a person in as a part time librarian but with major interest in the library, we felt that they undoubtedly would pick somebody who also was going to be competent in that work and in the teaching field. We did recognize the point which Professor Cormack has made. We realized that to require a complete full time librarian in some schools might defeat our purpose. It seems to me that the thing which we are suggesting there is one which should not be an undue burden.

In that connection I should like to remind you that this Association from time to time has increased not only its requirements with reference to libraries, but it has also increased the number of full time teachers that the member schools must have. This requirement imposed certain budgetary limitations which the schools have taken and in the main have been able to meet.

While I am on my feet I would like to say a word or two about one thing that Dean Wigmore said and which has been mentioned by both of the other speakers.

My experience is limited by the fact that in the schools in which I have been officially attached we have had excellent librarians and the library collections have been in, what I suppose you might call, the medium group; not even daring to hope ever to approach the collections of Harvard, Yale and Northwestern, but collections that were considerably beyond the minimum requirements of this Association.

Our situation at Southern California in connection with the power of the librarian is approximately this: Our budget is set up by the business office, with certain divisions already established—a certain amount for our continuations; a certain amount for binding and similar purposes; and a certain amount of funds for new book purchases as it is called, by which we mean simply books other than continuation material. That fund is again roughly allocated by the librarian and the library committee so that a fixed amount per month is set aside for what we refer

<sup>1</sup> L. LIB. J. 29:138, at p. 140.

to as normal purchases, which is a sum that our experience shows will cover about the amount of ordinary text and pamphlet material that in the average will be asked for or the librarian will feel are needed in the course of the month.

The librarian's choice in the selection of that material is entirely absolute. She acts on book requests from members of the faculty and on her own initiative but the committee has never made any inquiry about that. The committee meets from time to time to discuss with the librarian how the balance of the new book fund should be spent. As Dean Wigmore suggested, we discuss whether we should spend \$175.00 for some of these annotated statutes, and whether the most recent seventeen-volume edition on the electric light bulb law or some similar subject should be purchased.

Even in that field, however, our practice has been that the motion made is that the committee *recommends* that of the available funds certain purchases be made. In the eight years that I have served on that committee, the librarian has been kept officially entirely free to disregard that recommendation if other developments should make it seem wise. I think she has not ordinarily done so because she brings the matter up to us usually and we discuss it and when it has been talked over, if the recommendation is made, it is usually acted on almost immediately; but even so her choice in the matter is one with which the committee, I know, would have no thought of interfering. If she said to the committee, "This is a book which I have investigated and it is no good," that ends it. If she tells us, "I have investigated this on my own initiative and it is good," the committee has abided by that judgment.

So, we on the faculty have stood ready to give the librarian what advice we could give; to give her the benefit of any information we might have as to trends of law in fields in which we thought development might go, but beyond that we have, I think, succeeded in doing what the speakers have recommended, leaving the librarian to be the administrator.

Now that brings me back to the point where I started in this already too long discussion, that if that is to be done—and I quite agree that has to be done if you are going to have a good library—then, of course, you must have a competent librarian and the librarian has to work at the job, because, if you are going to leave those things to a librarian, as I say I think you have to leave them, then the librarian has to spend some time on his or her own job in deciding what to do. Whether or not the work is decreased by the fact that you have a smaller amount of money to spend after your necessary continuations have been purchased is something that I am not quite prepared to agree with.

CHAIRMAN THORNE: Mr. Roalfe, do you have anything to say on the subject?

MR. WILLIAM R. ROALFE (Librarian, Duke University School of Law, Durham, N. C.): I have been very much interested in the question that both Mr. Kingsley and Mr. Cormack touched on and I would be disappointed if there were not some further comment on the objection that Mr. Cormack raised to the provision which is to be offered to the Executive Committee with respect to the changing of the library standards.

One reason why I have felt sympathetic personally to the recommendation as the Committee has made it is because of my suspicion that in many of our schools

where a faculty member acts as librarian he is not given sufficient time to do that job, but is usually expected to do it in addition to carrying a full teaching load. That presents one problem.

The second problem that I see involved is the difficulty which the faculty member might have in administering a library in view of the fact that his own personal interest in the building up of a collection along certain lines might perhaps interfere with an impartial addition to the library, or more likely be suspected to interfere with that impartial administration.

I do think that the crux of our problem turns on this question of the position of the law librarian in our law school set-up. If he is not a faculty member it is quite true that where the funds available are limited the tendency will certainly be to employ a person who can be secured at a very small salary. If that is the case we may see that the end we have in view is defeated.

However, I would like to have much more comment here from persons who have had experience in the smaller schools which may feel the pinch of a change in that standard. It seems to me that we might very well enter that problem a little further.

PROFESSOR ROBERT MCNAIR DAVIS (University of Kansas, School of Law, Lawrence, Kan.): Mr. Chairman, as Chairman of this Committee whose report is printed on page 129 of the Program, and in connection with Professor Cormack's suggestion, I would like to point out that the language of the report is this: the Association of American Law Schools "should also require each member school to have a librarian whose major interest is the library itself and whose principal activities are devoted to management and operation of the law library."

I think that does not preclude the employment of a member of the faculty as librarian. However, I do think that if we have a library of at least 10,000 volumes—and each member school must have at least that—that anyone who is the librarian will of necessity have to make his principal activity the administration of the library.

I am not sure but that a member of the faculty who is doing less than half time teaching might in many instances be better in administering the library than someone without any legal training. Personally, I do believe that a librarian in a law school should be trained in the law as well as in library service. A certain portion of our report goes into that<sup>2</sup> and is copied largely from a committee report of the American Association of Law Libraries.<sup>3</sup>

So I think that perhaps Mr. Cormack's objection is not really an objection, that when he was the librarian the library was much smaller than now and possibly, devoting less than half of his time to the work, he was able to do it and was able to do it, I have no doubt, very efficiently.

This matter of autonomy which we also mention in our report seems to me to be a vital thing. There have been some rather sad experiences in schools where the director of libraries of the university seems to dominate too much the administration of the law library. In some of the libraries with which I am acquainted all

<sup>2</sup> PROGRAM AND REPORTS OF COMMITTEES, ASSOCIATION OF AMERICAN LAW SCHOOLS, 34TH ANNUAL MEETING (1936) p. 129, at p. 131.

<sup>3</sup> Report of the Committee on Education for Law Librarianship, American Association of Law Libraries, L. LIB. J. 29:199, at pp. 201-202.

orders, for example, must go through the office of the director of libraries. All deliveries are to the university library and then relayed to the law library. There is, it seems to me, unnecessary delay in that process.

I wish that the libraries in our law schools could be autonomous and that the librarian were such a person as to be himself or herself autonomous too.

I have in mind an instance where a librarian of a law school was appointed by the director of libraries during the summer interim when no member of the law faculty was present and no member of the law faculty was consulted in the appointment of the librarian of the law school. That is the limit so far as I know of such experience. Nothing of that kind, it seems to me, should happen.

I believe that this matter of autonomy is an important one.

CHAIRMAN THORNE: Is there anybody who comes from a university in which the centralized library system is in force who would like to speak in behalf of it?

DEAN PAUL S. ANDREWS (Syracuse University College of Law, Syracuse, N. Y.): I do not know that I fulfill your specifications because I am going to speak against it, despite the fact that the most cordial cooperation exists at Syracuse University. I do feel in complete agreement with the previous speaker, that a thoroughly autonomous library is a desirable thing. You can get all the cooperation in the world but it does not work quite as smoothly as it does where you have your own library and your own librarian giving substantially full time to the job. As a matter of fact, we have pretty nearly that in the law librarian at Syracuse. Though technically appointed by the central office in the university he is chosen by the dean of the law school faculty, but I am quite convinced that the situation would be better if the complete autonomy described by the previous speaker existed.

PROFESSOR HICKS: Mr. Chairman, in regard to the point involved in the recommendation that is to come up before the Association; namely, that each member school should have a librarian whose major interest is the library itself and whose principal activities are devoted to management and operation of the law library, it would seem to me, taking the long view of what we are trying to accomplish, that we would do better to interpret that to mean that there should be an additional person on the staff of the law school who would devote himself to the library. He might give a course in Legal Bibliography or in some other subject for which he was especially qualified, but if he did devote himself chiefly to the library it would soon grow into a full time job and these books which are required to be on the shelves would begin to be used. Moreover, he could build up the library without the expenditure of money in many directions by devoting himself to procuring books by gift, by exchange with other libraries, and by writing to interested persons.

The requirement that he would devote himself "chiefly to the library" should grow into "exclusively to the library" when the library gets important enough, and I think that if we interpret it to mean that it shall be an additional person it would be just another requirement of a school for membership in the Association. Perhaps we are not quite ready for that but it seems to me that is what we should aim for.

Then as to the type of person who would be appointed at the outset: suppose it was a person not especially strong, neither a lawyer nor a library-trained person?

If the additional recommendations are adopted, and the librarian is required to become a member of the American Association of Law Libraries and attend its annual meetings, this young librarian who is coming into the work will receive assistance from the Association.

The whole question of the education of law librarians is being very much agitated. For the first time that I know of the Columbia University School of Library Service is this summer offering a course in law library service. This is due to the recent studies and recommendations made by the American Association of Law Libraries and by other groups.

I believe if we start out by requiring additional persons as librarians and then, through this Round Table and through the American Association of Law Libraries, help those persons to be better qualified that gradually the whole standard of law librarianship, even in the quite small and relatively less well supported schools, would become higher. It is something to shoot towards that I am talking about.

CHAIRMAN THORNE: Is there any further discussion? If not, we will have to call this Round Table adjourned.

[The meeting adjourned at four-fifteen o'clock. There were sixty-eight persons present at this meeting of the Round Table on Library Problems.]

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The Editor has on hand a limited supply of the following reprints from the LAW LIBRARY JOURNAL:

*Check List of Judicial Council Reports*, compiled by Lewis W. Morse. Reprinted, with additions to Illinois, New Jersey, New York and Oregon, from L. LIB. J. 29:1.

*The Mining District Governments of the West: Their Interest and Literature*, by James Grafton Rogers, and *Colorado: A Study in Frontier Sovereignty*, by Robert Lawrence Stearns. The two papers are reprinted in one separate from L. LIB. J. 28: 139 and 247.

Copies of the above may be obtained from the Editor, c/o The George Washington University Law Library, Washington, D. C.

William R. Roalfe, Law Librarian, Duke University, has a limited number of reprints of his article entitled, *The Place of Cooperation With Other Groups in the Program of the American Association of Law Libraries* (reprinted from the 1935-36 PROCEEDINGS AND PAPERS OF THE NATIONAL ASSOCIATION OF STATE LIBRARIES), which he will send upon request to librarians. Mr. Roalfe also has copies of his 1936 annual report as Librarian, which he will be glad to send to interested librarians.

## THE DEVELOPMENT OF LAW SCHOOL LIBRARY STANDARDS AS APPLIED BY ACCREDITING AGENCIES

LYMAN H. BROWNFIELD

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While in the day in which we live no particular value is usually ascribed to the mere attribute of antiquity, it should be a matter of pride with members of the legal profession that theirs is one of the oldest of the social sciences. Naturally enough, law books have played an important part in this long and gradual development. Nevertheless, it is only quite recently that there has been anything like a general awakening to the importance of the role that law libraries must play in the study of law as a science, as an integral part of any comprehensive program of legal education, and in assisting the practitioner to solve the everyday problems of modern life.<sup>1</sup> Viewed in this light the improvements in law library service since the turn of the century cannot be regarded as inconsiderable in spite of the fact that so much obviously remains to be done. This article will be devoted to a consideration of one narrow aspect of these recent developments, namely, the formulation and application, by standardizing agencies, of specific standards for law libraries, with the purpose of certifying as satisfactory those libraries meeting the requirements.

Two groups, the Association of American Law Schools and the American Bar Association, have for a number of years undertaken to render this service, but only in connection with the formulation of other educational standards to be applied to law schools meeting with their approval. Their interest has, therefore, been confined to law school libraries. Our discussion will be confined to a brief history of the steps taken by these two associations. While the phraseology used by the Association of American Law Schools in its regulations relating to law libraries differs somewhat from that found in the standards of the American Bar Association, both groups in one way or another now apply standards including the following requirements:<sup>2</sup>

1. Suitable housing
2. Adequate administration
3. Availability
4. Ownership or control by the law school or university
5. Adequate collection
  - a. Minimum number of books
  - b. Inclusion of certain books
  - c. Provision against obsolescence

<sup>1</sup> For a quite early recognition of the importance of law school libraries see Baldwin, *LAW SCHOOL LIBRARIES AND HOW TO USE THEM* (1894) 17 A. B. A. REP. 431. However, it is indicative of the great development that has since taken place that he was then able to say: "There is no library which is so easy to select and maintain as the American law library." (p. 436.)

<sup>2</sup> The full text of the library standards as at present applied by the Association of American Law Schools, is thus set forth in Art. VI, Sec. 6, Articles of Association:

"Commencing September 1, 1932, it (member school) shall own a law library of not less than ten thousand volumes, which shall be so housed and administered as to be readily available for use by students and faculty.

"Commencing September 1, 1932, for additions to the library in the way of continuations and otherwise, there shall be spent over any period of five years at least ten thousand dollars, of which at least fifteen hundred dollars shall be expended each year.

"(Amended 1924, see *Proceedings*, 1924, pp. 50, 51; 1925, see *Proceedings*, 1925, pp. 85-87; 1930, see *Proceedings*, 1930, pp. 23, 25.)

Although even a casual examination reveals that these requirements may be met by libraries which are far from ideal, it is equally plain that they do indicate some fairly definite advances which should be credited to those whose labors have brought them about. As the present standards were established only after vigorous opposition had been overcome, a brief account of the steps leading up to them should be of interest. It was not until 1895 that the American Bar Association displayed any official interest in the libraries of the profession.<sup>3</sup> At this time it adopted a resolution requesting that Congress provide for the distribution to law schools of government publications having educational value. In limiting its action to law school libraries it revealed an inclination, which it has until recently followed, to take no formal interest in other types of law libraries. A recent deviation from this practice was the appointment in 1932 of a special committee on the Facilities of the Law Library of Congress, but the activities of this committee have no relevance to the subject now under discussion.<sup>4</sup> When, in 1921, the American Bar Association adopted its first set of law school requirements, it included in them its first official action with regard to library standards.<sup>5</sup>

The problem had already been considered, however, by the Association of American Law Schools, to whom belongs the honor of promulgating the first state-

<sup>3</sup>In 1927 the following recommendation of the Executive Committee was approved:

"It is recommended that in a law library of not less than seventy-five hundred volumes, the following should be included:

- (1) The published reports of decisions of the state in which the school is located, together with commonly used editions of the statutes and digests.
- (2) The published reports of decisions of the courts of last report in at least one-half the states of the United States with reasonably up-to-date editions of statutes.
- (3) The published reports of the decisions of the United States Supreme Court, with the generally used editions of federal statutes and digests.
- (4) The National Reporter System complete.
- (5) Leading up-to-date publications in the way of general digests, encyclopedias, and treatises of accepted worth.
- (6) At least six legal periodicals of recognized worth, complete with current numbers.
- (7) The English reports covered by the so-called reprint together with the law reports to date. (See Proceedings, 1927, p. 7.)"

1935 HANDBOOK, ASSOCIATION OF AMERICAN LAW SCHOOLS 236.

The American Bar Association library standards are set forth in a resolution as follows: "It shall provide an adequate library available for the use of its students."

As to this resolution, the Council of Legal Education and Admissions to the Bar has ruled that "an adequate library shall consist of not less than seventy-five hundred well selected, usable volumes, not counting obsolete material or broken set of reports, kept up-to-date and owned or controlled by the law school or university with which it is connected;" and "a school shall be adequately supported and housed so as to make possible efficient work on the part of both students and faculty." American Bar Association, ANNUAL REVIEW OF LEGAL EDUCATION (1935) 69.

<sup>3</sup> (1895) 18 A. B. A. REP. 41.

<sup>4</sup> At a meeting of the Executive Committee, held in connection with the annual meeting of the American Bar Association in Washington in October, 1932, the following resolution was adopted:

"BE IT RESOLVED that the American Bar Association favors the expansion of the existing facilities of the Law Library of Congress and hereby authorizes the President of this Association to appoint a Special Committee to cooperate to these ends and to report thereon at the next annual meeting."

Thereafter the Special Committee was appointed and made its first report to the Association at the annual meeting in 1933.

See (1933) 58 A. B. A. REP. 205, 445. For a subsequent history of this Committee, see the succeeding volumes of the American Bar Association Reports and the annual reports of John T. Vance, Law Librarian of Congress.

<sup>5</sup> See Report of Section of Legal Education and Admissions to the Bar. (1921) 46 A. B. A. REP. 37, 38, and Proceedings of the Special Conference on Legal Education, (1922) 47 A. B. A. REP. 482, 483.

ment embodying minimum requirements for law libraries. At the time of its organization in 1900, its articles of association provided that member schools must "own, or have convenient access to, during all regular library hours, a library containing the reports of the state in which the School is located and of the United States Supreme Court."<sup>6</sup> However modest this beginning may now seem, the fact remains that no further advance was made until 1912, and then apparently only with considerable difficulty. A second definite step forward was then taken, as member schools were thereafter required to "own a library of not less than 5,000 volumes."<sup>7</sup> In other words, they were no longer given the option of having "convenient access" to the required law books. They were obliged to own them. The stipulation that the library should have not less than 5,000 volumes injected a new element into the standards of evaluation, but it should be noted that there was not even the most general specification as to the character of the books to be included. It is, therefore, not surprising that this was one of the two objections advanced against the wording of the provision when it was under discussion at the time it was adopted.<sup>8</sup> The other was directed to the number of volumes required. By some the figure was thought to be unreasonable. The suggestion was advanced that this provision should not apply to law schools that were already members of the Association.<sup>9</sup> As to the latter point all doubt was soon dispelled by action of the Executive Committee calling attention to the fact that member schools must comply with this requirement.<sup>10</sup>

While officially the American Bar Association remained indifferent during the entire period of these earlier developments, a small group within its membership favored active participation through the promulgation of formal standards to be applied in the selection of law schools meeting with its approval. However, those advocating such a step encountered vigorous opposition,<sup>11</sup> and they did not meet with success until 1921. The provision relating to law school libraries then adopted, specified only that approved law schools should "provide an adequate library for the use of the students."<sup>12</sup> Because of its indefiniteness this provision standing alone could hardly be regarded as more than an entering wedge. In 1922 a "Special Conference on Legal Education," called by the American Bar Association specifically endorsed the standards adopted in 1921, including the provision relating to law school libraries.<sup>13</sup> In spite of the vagueness of the language employed, the Council on Legal Education, through its interpretation and application of this provision, soon began to evolve a more or less definite policy. This policy involved not only taking cognizance of the minimum of 5,000 volumes, contained in the Standards

<sup>6</sup> (1900) 23 A. B. A. REP. 572.

<sup>7</sup> (1912) 37 A. B. A. REP. 955, 960.

<sup>8</sup> *Id.* at 957. Contrast this with the statement that by the use of such general words as "adequate" and "available" the American Bar Association has avoided the pitfalls trapping those who seek definitely to determine what the library should be. Reed, *Raising Standards of Legal Education*, (1921) 7 A. B. A. J. 571.

<sup>9</sup> (1912) 37 A. B. A. REP. 959.

<sup>10</sup> (1913) 38 A. B. A. REP. 877.

<sup>11</sup> For an outcropping of the resentment generated, see Archer, *Facts and Implications of College Monopoly of Legal Education*, (1929) 54 A. B. A. REP. 719.

<sup>12</sup> (1921) 46 A. B. A. REP. 38.

<sup>13</sup> (1922) 47 A. B. A. REP. 483.

of the Association of American Law Schools, but also a more or less detailed consideration of the books included and the number of students in the school.<sup>14</sup>

The next advance was made by the Association of American Law Schools when in 1924 it amended the statement relating to libraries so as to require that in addition to the ownership of at least 5,000 volumes, the library should be "well selected and properly housed and administered for the use of its students."<sup>15</sup> This amendment did not, however, produce a sudden change, for, in recommending its adoption, the Executive Committee reported that it had been administering the requirement as if the additional clause were already present, and merely wished to avoid any possible future misunderstanding.<sup>16</sup> This new provision specifically recognized the importance of two additional elements involved in the evaluation of a library, namely, proper housing and adequate administration. The omission to designate the faculty as beneficiaries of this provision is more curious than important, as the needs of the faculty are definitely recognized in the provision as it now stands.

Those members of the Association primarily interested continued their advocacy of higher library standards, and the next year the Executive Committee came prepared to submit for approval a comprehensive statement, setting forth the classes of books and sets that should be included in every library, and raising the minimum number of volumes to 7,500.<sup>17</sup> Fearing that the submission of these proposals in their entirety would provoke prolonged discussion, it contented itself with a more modest statement which, however, increased the minimum number of volumes to 7,500 and added a provision requiring certain minimum expenditures for the maintenance of the collection.<sup>18</sup> This was obviously a significant step forward, since the practical utility of a law library rapidly diminishes if the collection is not kept up-to-date.

While there were some who thought that the standards were being raised too rapidly, and feared they might exclude schools which would otherwise be eligible for membership and might profit by such affiliation,<sup>19</sup> just two years later, in 1927, the Association approved the provisions as originally drawn in 1925; but it should

<sup>14</sup> (1923) 48 A. B. A. REP. 679.

<sup>15</sup> 1924 HANDBOOK, ASSOCIATION OF AMERICAN LAW SCHOOLS 50.

<sup>16</sup> *Ibid.*

<sup>17</sup> The text of this is as follows:

"It (member school) shall own a library of not less than seventy-five hundred volumes, among which there must be the following:

"(Then follows an enumeration of books identical with the present 'recommendations,' which are set forth in note 2, *supra*.)

"The books shall be so housed and administered as to be readily available for use by students and faculty.

"For additions to the library in the way of continuations and otherwise there shall be available over any period of five years at least seventy-five hundred dollars.

"As to present members of the association this section as amended shall be operative September 1, 1927." 1925 HANDBOOK, ASSOCIATION OF AMERICAN LAW SCHOOLS 108.

<sup>18</sup> The text of the resolution adopted is as follows:

"It (member school) shall own a law library of not less than seventy-five hundred volumes, which shall be so housed and administered as to be readily available for use by students and faculty." *Id.* at 85.

<sup>19</sup> *Id.* at 86. It is perhaps unfair to these objectors to impute to them any meaning other than that "half a loaf is better than none"; but they would not be alone in relegating library standards to a position of minor importance. See Reed, PRESENT DAY LAW SCHOOLS IN THE UNITED STATES AND CANADA (1928) 110, note 1, "The standard (i. e., adequate library)

be noted that they were adopted as "recommendations" and were therefore not incorporated into the formal statement of library requirements.<sup>20</sup>

At about the same time the Council on Legal Education of the American Bar Association, which by that time had had considerable experience in administering the rather vague rule adopted by that group in 1921, added an interpretation that did much to give substance to that provision. The full text is as follows:<sup>21</sup>

"An adequate library shall consist of not less than seventy-five hundred well selected, usable volumes, not counting obsolete material or broken sets of reports, kept up-to-date and owned or controlled by the law school or the university with which it is connected.

"A school shall be adequately supported and housed so as to make possible efficient work on the part of both students and faculty."

It is also apparent that this interpretation did much to bring the policy of the American Bar Association into line with that of the Association of American Law Schools. The altogether vague and unsatisfactory expression "adequate library" was now declared to require (1) not less than 7,500 volumes, (2) compliance with a reasonable standard of utility (usable volumes, not obsolete volumes or broken sets), (3) precautions against obsolescence. In addition the collection must be (4) owned or controlled by the educational institution itself, and (5) adequately supported and housed. And, finally, this provision expressly recognized the needs of the faculty as well as those of the students.

Attention has already been called to the fact that the American Bar Association, from the beginning, encountered vigorous opposition from some of its own members to any participation in a program directed to the formulation of standards for law schools. This opposition was a factor of continuing importance until 1929 when the Association's progressive policy with respect to this matter was overwhelmingly affirmed.<sup>22</sup>

The latest and most stringent requirements are those adopted in 1930 by the Association of American Law Schools, providing that after September 1, 1932, the minimum number of volumes should be increased to 10,000, and specifying that at

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has not, perhaps, the importance which is sometimes attributed to it. Although law books constitute the indispensable tools of legal education, they count for little until placed in competent hands; and a competent faculty will surely provide itself with these tools, up to the limit of the school's financial resources."

In direct answer to this is Hicks, *Law Libraries and Legal Education* (1928) 14 A. B. A. J. 678. And see Aigler, *Legal Education and the Association of American Law Schools* (1927) 6 AM. L. SCHOOL REV. 62, that "in the examination of law schools, no shortcoming appears more conspicuously and unmistakably than deficiencies in the library."

<sup>20</sup> 1927 HANDBOOK, ASSOCIATION OF AMERICAN LAW SCHOOLS 7. According to Dean H. C. Horack, of Duke University Law School, who has inspected many schools for both the Association of American Law Schools and the American Bar Association, these recommendations are not in theory binding, so that the committee is at liberty to accept a satisfactory substitute; but in practice rarely, if ever, does one find that a library seriously deficient in recommended material has a satisfactory substitute.

For a helpful article discussing the recommendations, see Helen Moylan, *Fundamental Material for the Law School Library, With Particular Reference to the Library of 7,500 to 15,000 volumes* (1928) 21 L. LIB. J. 85; (1930) 6 AM. L. SCHOOL REV. 751.

<sup>21</sup> This interpretation was adopted by the Council on April 12, 1928. See Roalfe, *American Lawyers and Their Books* (1936) 22 A. B. A. J. 241 at 243, note 5.

<sup>22</sup> (1929) 54 A. B. A. REP. 644, 656.

least \$10,000 should be spent for additions to the library over any period of five years.<sup>23</sup>

While, as stated at the outset of this article, both Associations have taken substantially the same factors into account in evaluating law libraries, their formal requirements differ in several particulars. In each of these instances the requirements of the Association of American Law Schools are either higher or more specific. For example, the Bar Association provides that the collection may be owned or controlled by the educational institution, while the Law School Association insists upon ownership. The former requires a minimum of 7,500 volumes, specifying only in general terms the nature of the volumes that should be included, while the latter sets the minimum at 10,000 volumes and specifically lists certain books that are recommended for inclusion. Finally, the Bar Association standards require that the collection be "kept up-to-date," while the Law School Association provides for definite expenditures for this purpose.<sup>24</sup> However, it should be noted that in actual practice the American Bar Association examines and passes upon a list of the books included before it approves any library collection. In this manner it no doubt achieves an end not greatly at variance with that obtained by the Association of American Law Schools.<sup>25</sup>

That in actuality these several differences are not as great as may at first appear is indicated by the fact that, for the most part, the same schools obtain the approval of both associations. There are 88 law schools on the list approved by the American Bar Association,<sup>26</sup> and 82 members of the Association of American Law Schools.<sup>27</sup> Thus only 6 schools that have complied with the requirements of the American Bar Association have not attained membership in the Law School Association. Information is not available to determine to what extent, if at all, this is due to the inadequacy of their libraries.

We have briefly noted each forward step that has been taken to date. Whether or not the American Bar Association will again modify its own requirements with respect to law school libraries, so as to achieve a more complete correspondence with those of the Association of American Law Schools, no one can now with any degree of certainty predict, nor is there any definite assurance that the law school group will continue to move forward. Temporarily, at least, the depression rendered necessary some leniency in the enforcement of requirements involving any considerable financial outlay, as many of the law schools have been seriously affected.<sup>28</sup>

However, as both associations continue to show an active interest in raising the

<sup>23</sup> For the text of the resolution, see note 2, *supra*. In the course of the discussion immediately preceding its adoption it was pointed out that any school which in 1927 began meeting the requirements must by now have over 10,000 volumes. 1930 HANDBOOK, ASSOCIATION OF AMERICAN LAW SCHOOLS 24.

<sup>24</sup> *Supra*, note 2.

<sup>25</sup> *Supra*, note 14.

<sup>26</sup> American Bar Association, ANNUAL REVIEW OF LEGAL EDUCATION (1935) 36.

<sup>27</sup> 1935 HANDBOOK, ASSOCIATION OF AMERICAN LAW SCHOOLS 239.

<sup>28</sup> A resolution recommending that the Executive Committee of the Association of American Law Schools "deal sympathetically with schools who are in financial difficulties" was adopted in 1931. 1931 HANDBOOK, ASSOCIATION OF AMERICAN LAW SCHOOLS 9. For a reflection of the continuing effect of the depression see the reports of the Executive Committee for 1932, 1933 and 1934.

standards relating to legal education in general,<sup>29</sup> it seems altogether likely that some further consideration will be given to law school libraries.

Perhaps the most significant recent development is the appointment of a committee of the American Association of Law Libraries to cooperate with a similar committee of the Association of American Law Schools. It is not improbable that their joint activities will either directly or indirectly lead to a serious consideration of the problems with which the present library standards purport to cope. Several matters discussed in the reports recently made public seem significant, but perhaps the most interesting are the recommendations that the present provisions should be extended so as to "require each member school to have a librarian whose major interest is the library itself and whose principal activities are devoted to the management and operation of the law library."<sup>30</sup> Were such a provision to be adopted<sup>31</sup> and enforced there would in all probability be an improvement in the law school libraries that it is now difficult to estimate. Certainly the formal requirements in the past and to date have conspicuously neglected this all important problem of informed, continuous and whole-hearted administration.

**THIRTY-SECOND ANNUAL MEETING, AMERICAN ASSOCIATION  
OF LAW LIBRARIES, NEW YORK CITY, NEW YORK,**

**JUNE 21-26, 1937**

The Hotel Roosevelt, New York City, will be the headquarters for the Thirty-Second Annual Meeting of the American Association of Law Libraries to be held June 21-26, 1937. The meeting will be held at the same time as the Annual Conferences of the American Library Association and the National Association of State Libraries.

On account of inevitable congestion at the time, the Committee on Local Arrangements urges members to make hotel reservations at the earliest possible moment. The rates are as follows:

Single rooms with bath from \$4.00 per day.

Double rooms with twin beds and bath from \$6.00 per day (\$3.00 per person).

The program will include addresses by prominent members of the bar and of the library profession, an Institute on Law Library Administration, a Joint Session on Statistics and a Joint Banquet with the National Association of State Libraries. The Committee on Local Arrangements is planning a day's outing in the Westchester country or some other section of interest. Complete program announcements will be made in the next number of the *LAW LIBRARY JOURNAL*.

**COMMITTEE ON LOCAL ARRANGEMENTS**

Franklin O. Poole, *Chairman*

Sidney B. Hill

Miles O. Price

Lawrence H. Schmehl

Helen May Smith

<sup>29</sup> See remarks of Chairman Rogers of the Section of Legal Education and Admissions to the Bar. (1936) 22 A. B. A. J. 690.

<sup>30</sup> For reports of these two committees see 29 L. LIB. J. 138, and 1936 *PROGRAM AND REPORTS OF COMMITTEES, ASSOCIATION OF AMERICAN LAW SCHOOLS* 129.

<sup>31</sup> See page 2 note 3, this issue, *Association of American Law Schools, Proceedings of the Round Table on Library Problems*, December 30, 1936.

**COLUMBIA UNIVERSITY SCHOOL OF LIBRARY SERVICE  
OFFERS COURSE IN LAW LIBRARY SERVICE  
SUMMER SESSION, 1937\***

The School of Library Service of Columbia University is offering for the first time in the 1937 Summer Session a special course in Law Library Service. This is the first time any accredited library school has found it possible to take a step that has been proposed many times by leading law librarians<sup>1</sup> and others concerned with raising the standards of law librarianship.

The new course will be given by Mr. Miles O. Price, the Law Librarian of Columbia University. Mr. Price is especially well qualified by training and experience to inaugurate formal training in this field. He is a graduate of the University of Chicago and of the Library School of the University of Illinois. For three years he was on the staff of the Library of the University of Chicago, and for eight years on the staff of the University of Illinois Library. From 1922 to 1929 he was Librarian of the Patent Office in Washington, D. C. For the last seven years he has been Law Librarian of Columbia University. Although he has not yet taken his law degree he has found time, in addition to his work as Law Librarian, to cover nearly all of the three-year curriculum of the Columbia Law School. For several years he has been giving lectures to law students on legal bibliography.

The new course will be open to candidates for either the first or second professional degree in the School of Library Service, as well as to persons not qualified to matriculate for a Library School degree but who have had some experience in law library work and can present evidence that they are able to carry the course with reasonable benefit to themselves. It will be necessary, however, to make formal application in advance to the Dean of the School of Library Service.

In the beginning, while this course is in the experimental stage, it is the intention of the School to make the requirements for admission highly flexible. Applications will be passed upon with reference to maturity, ability, and seriousness of purpose rather than formal academic or professional training, either in law or the library field. If the course becomes a permanent feature of the curriculum it may later prove desirable to require at least a college education for admission.

The tuition fee will be \$37.50, plus a registration fee of \$7. Students carrying other courses making up a full program of six points in the School of Library Service may, with the permission of the Dean, take this Law Library course on a two-point rather than a three-point basis. A student interested only in the Law Library course may give all his time to it, or he may take one or two other courses either in the Library School or some other department.

The class will meet every morning, except Saturday, at 8:30, from July 12th to August 20th, in Kent Hall, the Law School building, and the extensive collections and facilities of the Columbia Law Library will be used as a laboratory. While

\* This announcement was sent to the Editor for publication in the *LAW LIBRARY JOURNAL* by Dean C. C. Williamson, Director of University Libraries and Dean of the School of Library Service of Columbia University, New York City.

<sup>1</sup> See: *Survey and Report of the Committee on Education for Law Librarianship*, L. LIB. J. 29:199, at 211, and 219-222.

some attention will be given to problems of administration and to library techniques, the main emphasis will be placed on the literature of the law and the tools for getting at it which the skilled law librarian must be able to use effectively.

The full description of the course, as it will appear in the announcement of the Summer Session, reads as follows:

This course aims to give, through reading, classroom discussion, and extensive use of problems such as are to be encountered in actual practice, a comprehensive view of the administration of law libraries, with special reference to their various problems which differentiate them from other kinds of libraries. The various types of law libraries—law school, bar association, and private—are studied. The common law and statute law as sources of legal material are briefly considered as well as the methods employed by law students and lawyers in legal research. Emphasis is laid upon the examination of and work with the different types of material used in law libraries, such as court reports, statute law, textbooks, encyclopedias, periodicals, government documents (particularly legislative documents and the reports of administrative tribunals), briefs on appeal, etc., and the aids to their use.

Methods of acquisition, book selection, publishers, book dealers, and sources of free material are studied. Such aspects of cataloguing, classification, shelf arrangement, circulation, and reference work as are peculiar to a law library are taken up.

#### CURRENT COMMENTS

##### **The Carnegie Corporation of New York Makes Grant of \$5,000 to the American Association of Law Libraries**

The Executive Committee of the Carnegie Corporation of New York, at its meeting held January 7, 1937, appropriated \$5,000 to the American Association of Law Libraries as a single grant towards the support of its program. The application to the Carnegie Corporation was made on behalf of the American Association of Law Libraries by the Special Advisory Committee on the Expansion Plan, composed of Frederick C. Hicks, Chairman, Eldon R. James, Helen Newman, Franklin O. Poole, Will Shafroth and William R. Roalfe. (See L. LIB. J. 29:132.)

The money obtained under this grant will be used for the improvement and expansion of the LAW LIBRARY JOURNAL, in accordance with a resolution passed by the Committee on Law Library Journal and approved by the Executive Committee of the American Association of Law Libraries.

The Officers of the Association are greatly encouraged by this grant and feel that it is a recognition of the services which the Association is rendering to the law library profession. The funds for the improvement and expansion of the LAW LIBRARY JOURNAL will make possible increased services to the profession.

**American Library Association Holds Joint Conference  
with Affiliated Associations**

Under the chairmanship of Carl H. Milam, a joint conference of officers of the American Library Association and affiliated associations was held on Wednesday evening, December 30, 1936, at the Drake Hotel, Chicago, Illinois. The American Association of Law Libraries was represented by Fred Y. Holland, President; Mrs. Bernita J. Long, member of the Executive Committee; Franklin O. Poole, Chairman of the Committee on Index; William R. Roalfe, member of the Executive Committee; and Miss Helen Newman, Executive Secretary-Treasurer. The representatives of the American Library Association were Dr. Malcolm G. Wyer, President; Carl H. Milam, Secretary; Miss Cora M. Beatty, Chief of the Department of Membership Organization and Information; and Charles E. Butler, Assistant to Mr. Milam. Donald B. Gilchrist, Librarian of the University of Rochester, represented the Association of Research Libraries, and Miss H. Marjorie Beal, President, and Miss Catharine M. Yerxa, Secretary, represented the League of Library Commissions. Representatives of the National Association of State Libraries and of the Special Libraries Association were unable to be present.

Each officer gave a brief account of the activities in their associations and suggestions were made as to ways in which the various groups may secure more effective cooperation. It was agreed that complete data concerning the purposes, publications and committee activities of each association be published in the A. L. A. HANDBOOK. It is expected that the publication of this data will disclose further ways in which the affiliated associations may cooperate.

**James Brewster Appointed State Librarian of Connecticut**

James Brewster, who was named Acting State Librarian of Connecticut, following the death of George S. Godard, February 12, 1936, was appointed State Librarian of Connecticut, December 14, 1936. Mr. Brewster was formerly Librarian of Union College, Schenectady, New York.

As the official representative of the National Association of State Libraries, Mr. Brewster attended the Thirty-First Annual Meeting of the American Association of Law Libraries held in Cambridge, Massachusetts, August 20-22, 1936. Speaking at the dinner at the Wayside Inn on Saturday evening, August 22, he paid tribute to his predecessor, the late George S. Godard.

Mr. Brewster's many friends in the American Association of Law Libraries congratulate him upon his appointment as head of one of the Nation's finest state libraries.

**Helen S. Moylan Attending University of California School of Jurisprudence**

Helen S. Moylan, Law Librarian, State University of Iowa, who is on leave of absence during the academic year, 1936-37, is attending the University of California School of Jurisprudence where she is completing the course for the degree of Bachelor of Laws.

Miss Moylan is one of the outstanding law librarians in the Country. She is a graduate of Radcliffe College and the Columbia University School of Library

Service. Prior to her appointment at Iowa in 1922, she was Secretary of the Law School and Law Librarian at West Virginia University. She has made frequent contributions to legal periodicals and two of her articles—*Fundamental Material for the Law School Library, with Particular Reference to the Library of 7,500 to 15,000 Volumes* (6 AM. LAW SCH. REV. 751) and *A Primer on Law Library Cataloging* (29 L. LIB. J. 156)—have received especially favorable comment. The Index to Volumes 1-11 of the *IOWA LAW REVIEW* was compiled by Miss Moylan. She has been active in the work of the American Association of Law Libraries, serving for two years as Chairman of the Committee on Law School Statistics. The "Selected List of Library Literature of Special Interest to Law Librarians," appearing currently in the *LAW LIBRARY JOURNAL*, is compiled for each issue by Miss Moylan. She is now First Vice-President of the American Association of Law Libraries.

In Miss Moylan's absence, Mrs. Lucile Vernon Clark is Acting Law Librarian at the State University of Iowa. Mrs. Clark is a graduate of Barnard College and the New York University Law School. She was Assistant Librarian of the Association of the Bar of the City of New York from 1920 to 1929 and served as Secretary-Treasurer of the American Association of Law Libraries from 1924 to 1929.

#### **Duke University Has Largest Law School Library Collection in the South**

The Annual Report for the year ending June 30, 1936, of William R. Roalfe, Librarian of Duke University School of Law, shows the growth in the collection from 12,156 volumes in August, 1930, to a total collection of 56,190 bound volumes in June, 1936. The Library is now fourteenth in size among American law school libraries and it continues to rank first in the South.

Under Section IV, Accessions, an interesting account is given of the substantial progress made in building up the periodical collection. A total of 2,318 individual periodical numbers (in addition to those currently received) and 614 bound volumes were acquired during the year. The periodical collection now numbers 5,527 bound volumes, and the Library receives currently 225 periodicals, including every legal periodical of general interest published in the English language, a number representing fields closely related to the law, and a selection of foreign legal periodicals.

#### **World Peace Foundation Documents Agency Transferred to Columbia University Press**

The United States agency, formerly held by the World Peace Foundation, for documents published by The League of Nations, International Institute of Intellectual Cooperation, Permanent Court of International Justice (World Court), has been transferred to the Columbia University Press. All orders should hereafter be addressed to Columbia University Press, International Documents Service, 2960 Broadway, New York City.

The World Peace Foundation announces that it will concentrate upon other publishing, research and educational work, and will continue to supply general information on international affairs and documentation.

**Federal Register Will Publish Bound Volume**

Major B. R. Kennedy, Director of the Division of the Federal Register, The National Archives, Washington, D. C., has announced that a bound volume of volume 1 of the **FEDERAL REGISTER** will be ready for distribution in the near future. This volume will be in two parts, Congressional Record size, bound in buckram, and will contain all documents published in the daily issues of the **FEDERAL REGISTER** for the period, March 14, 1936, through December 31, 1936, with index and tables. The price of this publication has not yet been determined, but further announcement will be made in the **JOURNAL**.

THE **FEDERAL REGISTER** is a United States Government publication, distributed daily Tuesday through Saturday, that contains the official texts of all current Presidential proclamations, Executive orders, and all other orders, regulations, certificates, codes, licenses, notices, or similar documents having general applicability and legal effect, issued or prescribed by the President of the United States, executive departments and other agencies of the executive branch of the Government.

The daily issues of the current volume (volume 2, beginning January 1, 1937) may be obtained at a subscription rate of \$10 per year, payable in advance to the Superintendent of Documents, Government Printing Office, Washington, D. C.

The Executive Secretary of the American Association of Law Libraries, in answer to several inquiries from law librarians concerning the **FEDERAL REGISTER**, calls attention to the article entitled, *The Federal Register*, in the November, 1936, number of the **ILLINOIS LAW REVIEW** (31 Ill. L. Rev. 357).

**Michigan Law Review Adds Monthly Periodical Index**

Beginning with the November, 1936, issue (volume 35, number 1), the **MICHIGAN LAW REVIEW** contains a department, "Monthly Periodical Index." This Index, which is arranged by subjects, includes the articles and comments which appear in twenty-four leading law reviews published during the preceding month.

**CURRENT LEGAL THOUGHT** has a similar department, "Monthly Index to Legal Periodicals," which indexes by subjects, articles, notes and comments, published in 127 legal periodicals.

The **AMERICAN BAR ASSOCIATION JOURNAL** in its section, "Current Legal Literature," includes a list of "Leading Articles in Current Legal Periodicals." The articles are listed under the names of the periodicals in which they appear and are not indexed by subjects.

These Indexes will assist librarians, during the intervals between the publication of the quarterly numbers of the **INDEX TO LEGAL PERIODICALS**, in the preparation of check lists of current legal periodical material for the use of patrons of their libraries.

**SELECTED LIST OF RECENT LIBRARY LITERATURE OF  
SPECIAL INTEREST TO LAW LIBRARIANS**

*Compiled by HELEN S. MOYLAN*

*Law Librarian, State University of Iowa*

**American Association of Law Libraries**

Outline of plan for further expansion of the activities of the American Association of Law Libraries. *L. LIB. J.* 29:133-137 (Oct. 1936).

Roalfe, William R. The place of cooperation with other groups in the program of the American Association of Law Libraries. *Proceedings and Papers of the National Association of State Libraries* (1935-36). pp. 50-55.

**Bibliographies**

Annual index to legal periodicals, Aug. 1, 1935-July 31, 1936. *CURRENT LEGAL THOUGHT* Vol. 2, No. 11 (Aug. 1936). 124 p.

Forgeus, Elizabeth. Preliminary list of Litchfield Law School notebooks. *L. LIB. J.* 29:63-71 (July 1936).

Report of committee on bar association reports. *L. LIB. J.* 29:195-198 (Oct. 1936). Lists new proceedings and new periodicals.

Selected, classified legal articles from non-legal periodicals. *CURRENT LEGAL THOUGHT* 2:1009-1012 (July 1936).

Wilcox, Jerome K. Sources of information about new government activities. *A. L. A. BULL.* 30:658-666 (Aug. 1936).

**Cataloging**

Moylan, Helen S. A primer on law library cataloging. *L. LIB. J.* 29:156-169 (Oct. 1936).

**Catalogs**

Indianapolis bar association. Law library. Catalog. Compiled by Gladys Wells Ringer, Librarian. Indianapolis, Bobbs-Merrill Co., 1935. iii, 5-328 p.

**Classification**

Dabagh, Thomas S. The mnemonic classification for law libraries. University of California Press, 1936.

Tomlinson, Marion T. The numerical classification scheme of the legislation collection in the Harvard Law School Library. *L. LIB. J.* 29:71-76 (July 1936).

**Library Administration**

Baxter, James C. Organization and administration of bar association libraries. *L. LIB. J.* 29:142-155 (Oct. 1936).

Report of committee on cooperation with the Association of American Law Schools. *L. LIB. J.* 29:138-141 (Oct. 1936).

**Personnel**

Survey and reports of the committee on education for law librarianship. *L. LIB. J.* 29:199-222 (Oct. 1936).

**Public Documents**

Kuhlmann, A. F. Report of the public documents committee. *A. L. A. BULL.* 30:742-746 (Aug. 1936).

**Reports of Law Librarians**

Hicks, Frederick C. Yale University School of Law. Report of the librarian. In Reports of the Dean and of the Librarian of the School of Law for the academic year, 1935-1936. p. 19-28. (*Bull. of Yale University. Supp.*).

Johnston, William S. Chicago Law Institute. Report of the librarian. In *Annual Reports of the Officers*, 1936. p. 19-24.

Roalfe, William R. Duke University School of Law. Annual report of the librarian for the fiscal year ending June 30, 1936. Durham, N. C., 1936. 15 p. (mimeographed).

**Statistics**

Panel discussion of library statistics. *L. LIB. J.* 29:189-195 (Oct. 1936).

Report of special committee on statistics. *L. LIB. J.* 29:170-177 (Oct. 1936).

Report of sub-committee on law school library statistics. *L. LIB. J.* 29:178-185 (Oct. 1936).

Special report on court library statistics. *L. LIB. J.* 29:185-187 (Oct. 1936).

**NOTICE**

An *Historical Outline and Bibliography of Attorneys General Reports and Opinions, From Their Beginning Through 1936*, compiled by Lewis W. Morse, Law Librarian, Cornell Law School, will be published in the next number of the *LAW LIBRARY JOURNAL*.

**AMERICAN ASSOCIATION OF LAW LIBRARIES  
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